

Message Text

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41

ORIGIN EB-07

INFO OCT-01 ISO-00 AGR-10 CEA-01 CIAE-00 COME-00 DODE-00

FRB-01 H-02 INR-07 INT-05 L-02 LAB-04 NSAE-00 NSC-05

PA-02 AID-05 CIEP-02 SS-15 STR-04 TAR-01 TRSE-00

USIA-15 PRS-01 SP-02 FEAE-00 OMB-01 AF-06 ARA-10

EA-10 EUR-12 NEA-09 OIC-02 IO-10 /152 R

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DRAFTED BY EB/OT/STA:WTDIROLL:CLJ

APPROVED BY EB/OT/STA:WCLARK, JR.

COMMERCE:BMILLER

AGRICULTURE:JHOLMQUIST

TREASURY:DDOLAN

LABOR:GVERNON

STR:RMATTHEISEN

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R 192217Z MAR 75

FM SECSTATE WASHDC

TO USMISSION GENEVA

UNCLAS STATE 062244

E.O. 11652: N/A

TAGS: ETRD

SUBJECT: SAFEGUARD MEASURES AND PROCEDURES: UNITED STATES

RESPONSE TO GATT/AIR/1128

REF: STATE 048113

1. WASHINGTON AGENCIES CONCUR WITH YOUR SUGGESTION, FORWARDED VIA RETURNING MEMBER USDEL MTN, THAT OUR REPLY TO QUESTION 4(A) OF GATT/AIR/1128 SHOULD BE AMENDED. PLEASE TRANSMIT TO THE GATT SECRETARIAT THE TEXT OF THE UNITED STATES RESPONSE TO THE QUESTIONNAIRE AFTER MAKING THE FOLLOWING CHANGES:

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(A) REPLACE THE LAST TWO PARAGRAPHS ON PAGE 7 WITH THE FOLLOWING THREE NEW PARAGRAPHS:

BEGIN FIRST NEW PARA: ATTACHMENTS 4(A)(1) AND 4(A)(2) LIST PRODUCTS SUBJECT TO VARIOUS TYPES OF IMPORT RESTRICTIONS IN CERTAIN COUNTRIES WHICH ARE TRADING PARTNERS OF THE UNITED STATES. THE FIRST ATTACHMENT ENTITLED "THE QUANTITATIVE RESTRICTIONS IN THE MAJOR TRADING COUNTRIES" IS A PAPER PREPARED BY THE EXECUTIVE BRANCH FOR THE SUBCOMMITTEE ON INTERNATIONAL TRADE OF THE SENATE FINANCE COMMITTEE. IT LISTS QUANTITATIVE RESTRICTIONS IN INDUSTRIAL COUNTRIES AND WAS BASED PRIMARILY, BUT NOT EXCLUSIVELY, ON INFORMATION CONTAINED IN GATT DOCUMENT COM/IND/W/97; COMM/AG/W/92 OF 21 MARCH 1973. THE SECOND ATTACHMENT CONTAINS SUPPLEMENTARY INFORMATION ON VARIOUS OTHER TYPES OF RESTRICTIONS IN THESE COUNTRIES. THE ATTACHMENTS SHOULD BE CONSIDERED AS ILLUSTRATIVE OF IMPORT RESTRICTIONS AND NOT AS DEFINITIVE OR EXHAUSTIVE COMPILATIONS. END FIRST NEW PARA.

BEGIN SECOND NEW PARA: AVAILABLE DATA ON IMPORT RESTRICTIONS IMPOSED BY OTHER DEVELOPED COUNTRIES AND DEVELOPING COUNTRIES WAS MORE LIMITED AND HAS NOT BEEN PROVIDED IN THE ATTACHMENTS. SUCH COUNTRIES DO, HOWEVER, IMPOSE MANY TYPES OF RESTRICTIONS WHICH ARE OF CONCERN. FOR EXAMPLE, THREE-QUARTERS OF THE DEVELOPING COUNTRIES FOR WHICH INFORMATION WAS AVAILABLE IMPOSED QUOTAS OR LICENSING REQUIREMENTS WHICH OPERATE TO RESTRICT IMPORTS. COUNTRIES NOT IMPOSING QUOTAS OR LICENSING REQUIREMENTS GENERALLY MAINTAIN HIGH TARIFFS ON ALL PRODUCTS OR ON IMPORTS OF ITEMS PRODUCED LOCALLY. EMBARGOES, LOCAL CONTENT REQUIREMENTS AND A VARIETY OF OTHER MEASURES ARE ALSO USED BY SOME DEVELOPING COUNTRIES. END SECOND PARA.

BEGIN THIRD NEW PARA: SOME OF THE RESTRICTIVE MEASURES LISTED IN THE ATTACHMENT OR REFERRED TO ABOVE WERE APPLIED PURSUANT TO THE PROVISIONS OF GATT ARTICLE XIX; OTHERS MAY BE JUSTIFIED UNDER OTHER GATT PROVISIONS. NO ATTEMPT HAS BEEN MADE IN THE ATTACHMENTS TO DISTINGUISH BETWEEN SHORT TERM, EMERGENCY ACTION AND ACTION TAKEN TO DEAL WITH LONGER TERM PROBLEMS. SIMILARLY, NO UNCLASSIFIED

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ATTEMPT HAS BEEN MADE TO DISTINGUISH BETWEEN MEASURES INTENDED TO SAFEGUARD DOMESTIC INDUSTRIES FROM INJURIOUS IMPORT COMPETITION AND MEASURES APPLIED FOR OTHER PURPOSES BUT WHICH NEVERTHELESS HAVE AN INCIDENTAL PROTECTIVE EFFECT. THESE LATTER MEASURES ARE RELEVANT TO THE PRESENT DISCUSSION SINCE THEY FREQUENTLY OBIVIATE THE NEED FOR SAFEGUARD ACTION TO PROTECT AGAINST COMMERCIAL INJURY. END THIRD PARA.

(B) REMOVE FROM ANNEX 8 ENTITLED "ATTACHMENT 4(A)(2)
DEALING WITH RESTRICTIONS MAINTAINED BY CERTAIN COUNTRIES"
ALL COUNTRY SHEETS EXCEPT THOSE PROVIDING SUPPLEMENTARY
INFORMATION ON VARIOUS TYPES OF RESTRICTIONS MAINTAINED BY
THE INDUSTRIAL COUNTRIES LISTED IN ANNEX 7 ENTITLED "THE
QUANTITATIVE RESTRICTIONS IN THE MAJOR TRADING COUNTRIES".

2. PLEASE REPORT BY CABLE WHEN THE REPLY HAS BEEN
TRANSMITTED. INGERSOLL

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NNN

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